

Jason D. Cassady (Texas Bar #24045625)
Alexis F. Mosser (Texas Bar #24070675)
CALDWELL CASSADY & CURRY
2101 Cedar Springs Road, Suite 1000
Dallas, Texas 75201
Telephone: (214) 888-4848
jcassady@caldwellcc.com
amosser@caldwellcc.com

J. Mark Gibb (Utah Bar #5702)
Lyndon R. Bradshaw (Utah Bar #15097)
DURHAM JONES & PINEGAR, P.C.
111 S. Main Street, Suite 2400
P.O. Box 450
Salt Lake City, UT 84111
mgibb@djplaw.com
lbradshaw@djplaw.com

Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

nCAP LICENSING, LLC, nCAP
TELECOMMUNICATIONS LLC, nCAP
MEDICAL, LLC,

Plaintiffs,

vs.

APPLE INC.,

Defendant.

Case No.: 2:17-cv-00905-RJS-BCW

**JOINT STIPULATION TO TAKE
DEPOSITIONS AFTER THE CLOSE OF
DISCOVERY**

District Judge: Robert J. Shelby

Magistrate Judge: Brooke C. Wells

JURY TRIAL DEMANDED

The parties have stipulated, subject to approval by the Court, to take two depositions in January 2019 or February 2019 outside of the close of fact discovery, currently scheduled for December 19, 2018, in order to accommodate the schedules of the witnesses and parties. At the request of nCap, Apple agreed to reschedule the deposition of one of its witnesses, Ruben Caballero, originally scheduled for December 13, 2018. Additionally, Apple had noticed the deposition of third party Robert Schlub to occur on the last day of fact discovery, and nCap had objected to the timing and parameters of the deposition. In an effort to avoid motion practice, the parties have agreed and jointly stipulate to conduct the deposition of Mr. Schlub after the close of discovery in January or February 2019 at the convenience of the witness. The depositions will not impact any deadlines in the case, and no case deadlines are scheduled in January or February 2019.

DATED: December 18, 2018.

Respectfully submitted,

CALDWELL CASSADY & CURRY

/s/ Jason D. Cassady

Bradley W. Caldwell

Texas State Bar No. 24040630

Email: bcaldwell@caldwellcc.com

Jason D. Cassady

Texas State Bar No. 24045625

Email: jcassady@caldwellcc.com

John Austin Curry

Texas State Bar No. 24059636

Email: acurry@caldwellcc.com

Alexis F. Mosser

Texas State Bar No. 24070675

Email: amosser@caldwellcc.com

2101 Cedar Springs Road, Suite 1000

Dallas, Texas 75201
Telephone: (214) 888-4848
Facsimile: (214) 888-4849

DURHAM JONES & PINEGAR, P.C.
J. Mark Gibb
Lyndon R. Bradshaw

Attorneys for Plaintiffs

/s/ Peter C. Magic
John M. Desmarais (*admitted pro hac vice*)
jdesmarais@desmaraisllp.com
Michael P. Stadnick (*admitted pro hac*
vice)
mstadnick@desmaraisllp.com
Ameet A. Modi (*admitted pro hac vice*)
amodi@desmaraisllp.com
Peter C. Magic (*admitted pro hac vice*)
pmagic@desmaraisllp.com
DESMARAIS LLP
230 Park Avenue
New York, NY 10169
Telephone: (212) 351-3400

Brent O. Hatch (5715)
bhatch@hjdllaw.com
Lara A. Swensen (8493)
lswensen@hjdllaw.com
HATCH, JAMES & DODGE, P.C.
10 West Broadway, Suite 400
Salt Lake City, UT 84101
Telephone: (801) 363-6363
Facsimile: (801) 363-6666

Attorneys for Defendant Apple Inc.